



6-18-04

DWW

3739/
PATENT

Attorney Docket No. 39238-0753

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

PATENT APPLICATION

Inventor(s):

STERN, et al.

Art Unit: 3739

Application No.:

10/072,475

Examiner: PEFFLEY, Michael F.

Filed:

February 6, 2002

Title: Method for treatment of tissue

SUPPLEMENTARY
INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

MailStop: Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed below on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, along with a concise explanation of information in a foreign language, if any, except for pending U.S. applications is attached pursuant to 37 C.F.R. §1.97-1.98. Under 37 CFR §1.98(d), if a patent, publication or other information listed in the attached PTO-1449 was previously cited by or submitted to the Office in a prior application, a copy is not being provided. For the examiner's convenience, an asterisk is placed beside the reference(s) we are not providing a copy of.

This application claims priority to US Application No. 09/522,275.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the PTO-1449 in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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- This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- (2) It is being filed within 3 months of entry of a national stage
-- OR --
- (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- a certification as specified in §1.97(e) is provided below; or
- a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- Fee Authorization.* The Commissioner is hereby authorized to charge the above-referenced fees of \$ 180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39238-0753).

Dated: 6/15/04

Heller Ehrman White & McAuliffe LLP
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Respectfully submitted,

HELLER EHRMAN WHITE & MC AULIFFE LLP

By: 
Paul Davis, Reg. No. 29,294



SHEET 1 OF 4

**INFORMATION DISCLOSURE
CITATION**

PTO-1449

ATTY. DOCKET NO.
39238-0753APPLICATION NO.
10/072,475

TITLE: Handpiece for Treatment of Tissue

APPLICANT : STERN, et al

FILING DATE: 2/06/02 GROUP: 3739

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	6,706,032	3/16/04	Weaver et al.	604	500	6/7/01
	6,659,999	12/9/03	Anderson et al.	606	9	6/5/00
	6,605,080	8/12/03	Altshuler et al.	606	3	3/26/99
	6,529,543	3/4/03	Anderson et al.	372	108	11/21/00
	6,527,763	3/4/03	Esch et al.	606	2	9/6/01
	6,511,475	1/28/03	Altshuler et al.	606	9	8/9/00
	6,350,261	2/26/02	Domankivitz et al.	606	17	4/11/00
	6,275,962	8/14/01	Fuller et al.	714	724	10/23/98
	6,273,884	8/14/01	Altshuler et al.	606	9	5/13/98
	6,248,103	6/19/01	Tannenbaum et al.	606	9	5/28/99
	6,171,301	1/9/01	Nelson et al.	606	9	11/3/97
	6,139,653	10/31/00	Fernandes et al.	148	439	8/12/99
	6,129,723	10/10/00	Anderson et al.	606	13	11/28/95
	6,126,655	10/3/00	Domankevitz et al.	606	17	8/11/98
	6,120,497	9/19/00	Anderson et al.	606	9	9/15/98
	6,081,749	6/27/00	Ingle et al.	607	101	8/13/97
	6,066,130	5/23/00	Gregory et al.	606	15	10/27/98

FOREIGN PATENT DOCUMENTS

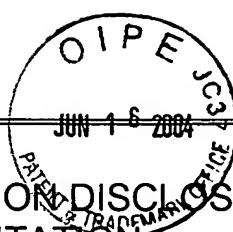
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						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Anvari, et al., "Dynamic Epidermal Cooling in Conjunction with Laser Treatment of Port-Wine Stains: Theoretical and Preliminary Clinical Evaluations", <i>Lasers in Medical Science</i> 10: 105-112, (July 1995)
	Nelson, et al., Abstract: "Dynamic epidermal cooling during pulsed laser treatment of port-wine stain. A new methodology with preliminary clinical evaluation", <i>Archives of Dermatology</i> , 131:695-700
	Anvari, et al., "Spatially selective photocoagulation of biological tissues; feasibility study utilizing cryogen spray cooling", <i>Applied Optics</i> , Vol 35, No. 19 (July 1996)

EXAMINER

DATE CONSIDERED



INFORMATION DISCLOSURE CITATION PTO-1449	ATTY. DOCKET NO. 39238-0753	APPLICATION NO. 10/072,475
	TITLE: Handpiece for Treatment of Tissue	
	APPLICANT : STERN, et al	
	FILING DATE: 2/06/02	GROUP: 3739

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	6,014,579	1/11/00	Pomeranz et al.	600	374	7/21/97
	5,995,283	11/30/99	Anderson et al.	359	385	11/12/98
	5,979,454	11/9/99	Anvari et al.	128	898	6/6/97
	5,925,078	7/20/99	Anderson	623	66	11/4/96
	5,911,718	6/15/99	Yarborough et al.	606	9	5/8/98
	5,880,880	3/9/99	Anderson et al.	359	385	7/15/96
	5,879,326	3/9/99	Godshall et al.	604	51	4/25/97
	5,814,041	9/29/98	Anderson et al.	606	15	7/7/95
	5,814,040	9/29/98	Nelson et al.	606	9	5/15/95
	5,810,801	9/22/98	Anderson et al.	606	9	9/22/98
	5,556,612	9/17/96	Anderson et al.	424	59	3/15/94
	5,735,844	4/7/98	Anderson et al.	606	9	1/30/96
	5,649,923	7/22/97	Gregory et al.	606	15	4/8/94
	5,571,216	11/5/96	Anderson	623	66	1/19/94
	5,595,568	1/21/97	Anderson et al.	606	9	2/1/95
	5,558,667	9/24/96	Yarborough et al.	606	9	1/6/95

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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).



SHEET 3 OF 4

**INFORMATION DISCLOSURE
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	5,527,308	6/18/96	Anderson et al.	606	14	2/1/94
	5,456,260	10/10/95	Kollias et al.	128	665	4/5/94
	5,304,171	4/19/94	Gregory et al.	606	15	2/2/93
	5,300,097	4/5/94	Lerner et al.	607	93	9/18/92
	2004/0093042	5/13/04	Altshuler et al.	607	88	6/17/03
	2004/0039379	2/26/04	Viator et al.	606	9	2/7/03
	2004/0034319	2/19/04	Anderson et al.	604	20	3/12/03
	2004/0034341	2/19/04	Altshuler et al.	606	3	8/12/03
	2003/0220749	11/27/03	Chen et al.	702	31	4/9/03
	2003/0218756	11/27/03	Chen et al.	356	497	1/16/03
	2003/0208326	11/6/03	Chen et al.	702	49	3/12/03
	2003/0199859	10/23/03	Altshuler et al.	606	9	5/21/03
	2003/0055414	3/20/03	Altshuler et al.	606	9	10/21/02
	2003/0036751	2/20/03	Anderson et al.	606	9	5/30/01

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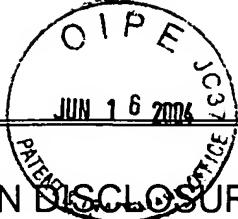
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SHEET 4 OF 4

INFORMATION DISCLOSURE CITATION PTO-1449				ATTY. DOCKET NO. 39238-0753	APPLICATION NO. 10/072,475		
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	2002/0161357	10/31/02	Anderson et al.	606	9	12/27/01	
	2002/0123745	9/5/02	Svaasand, et al.	606	9	1/23/01	
	2002/0091377	7/11/02	Anderson et al.	606	9	1/25/01	
	2002/0065533	5/30/02	Weaver et al.	606	191	6/7/01	
	2002/0022827	2/21/02	Esch et al.	606	7	9/6/01	
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